

## **REMARKS**

The abstract of the disclosure has been amended in response to the Examiner's objection. Claims 8 and 15 have been amended to correct typographical errors inadvertently introduced in the previous amendment. Claims 25, 29 and 33 have been canceled. Upon entry of the amendment, claims 1, 2, 4-9, 11-16, 18-24, 26-28 and 30-32 will be pending in the application. Applicants submit that the above amendments address only matters of form, raise no new issues requiring consideration by the Examiner, and place the application in condition for allowance. As such, Applicants respectfully request entry of the amendment.

### **Objection to the specification:**

The Examiner objected to the abstract of the disclosure as repeating the language of the title, citing MPEP 608.01(b). Although Applicants are aware of no statute or rule forbidding the inclusion of language of the title in the abstract, Applicants have amended the abstract to strike the language of the title therefrom, and have further amended the abstract to reflect the substance of the claims as amended. Applicants therefore submit that the objection to the specification has been overcome and respectfully request that it be withdrawn.

### **Double Patenting Rejection:**

The Examiner rejected the pending claims on the grounds of nonstatutory obviousness-type double patenting over the claims of copending application Serial No. 10/723,704. Applicants have enclosed a terminal disclaimer and submit that the double patenting rejection has been overcome.

**Section 112, Second Paragraph Rejection:**

The Examiner rejected claims 25, 29 and 33 under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants submit that this rejection is moot in view of the cancellation of the rejected claims.

**Allowable subject matter:**

The Examiner indicated that claims 1, 2, 4-9, 11-16 and 18-33 would be allowable upon submission of a terminal disclaimer to overcome the double patenting rejection and being rewritten to overcome the 35 U.S.C. § 112, second paragraph rejection. As noted above, Applicants have supplied a terminal disclaimer and canceled the claims rejected under 35 U.S.C. § 112.

## CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicant hereby petitions for such extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5760-16000/BNK.

Respectfully submitted,



---

B Noël Kivlin  
Reg. No. 33,929  
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8840

Date: 1-9-07